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EXAMINER

LAO, LUN S

ART UNIT

PAPER NUMBER

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/672,841	<b>Applicant(s)</b> HALL ET AL.	
	<b>Examiner</b> Lun-See Lao	<b>Art Unit</b> 2615	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### *Introduction*

1. This action is in response to applicant's election filed on 05-16-2007.

Applicants hereby elect Species 1, claims 1-65, for prosecution at this time and claims and claims 66-72 have been withdrawn. Claims 1-65 are pending.

### *Specification*

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: claim 1, claim 3, claim 5, claim 9, claim 11 and claim 16 claim 46 disclosure a first component, a second component, a third component, fourth component, fifth component, sixth component and claim 30, claim 33-38 disclosure a first means, a second means, a third means, fourth means, fifth means, sixth means, which are unclear to the examiner and are not clearly supported in the specification (see pages 3-4).

### *Claim Objections*

3. Claim 49 is objected to because of the following informalities: claim 49 recites "generating a video signal based on the second sound signal," on last line, which appears to be --- generating a video signal based on the second sound signal.---. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claim 49 recites “ A method performed in a speaker apparatus, the method comprising: receiving a first sound signal from an external source 0 Hz and 130 Hz and a second sound signal from a microphone, the first sound signal being between; processing the first sound signal into a first and second range of frequencies based on a plurality of parameters”, which is unclear to the examiner.

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 3 recites “a third component configured to process a portion of the sound signal based on a plurality of parameters; and a fourth component configured to output

the processed signal to the at least one speaker” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is unclear to the examiner what is “ third component and a fourth component” referring to.

8. Claim 5 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 5 recites “a third component configured to receive a second sound signal from a second external source; a fourth component configured to process the second sound signal based on a plurality of parameters; and a fifth component configured to output the processed second sound signal to the at least one speaker” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is unclear to the examiner what is “ third component and a fourth component, fifth component” referring to.

9. Claims 9-11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claims 9 and 11 recite “ a sixth component configured to generate a test sound signal and a sixth component configured to receive changes to one or more of the first thru fifth components” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). They are unclear to the examiner what is “ sixth component” referring to.

10. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 16 recites “a first component configured to receive a first sound signal from the receiver and a second sound signal received by the microphone; a second component configured to process the first sound signal based on a plurality of parameters and output the processed sound signal to the at least one speaker; and a third component configured to generate a video signal based on the second sound signal; a fourth component configured to send the generated video signal to the display ” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is unclear to the examiner what is “ first component, a second component, third component and a fourth component” referring to.

Art Unit: 2615

11. Claim 33 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 33 recites "a third means for receiving a sound signal from an external source; a fourth means for processing the sound signal from the external source based on a plurality of parameters" was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is is unclear to the examiner what is " a third means and a fourth means" referring to.

12. Claims 34-35 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claims 34 and 35 recite "a fifth means for outputting the processed sound signal to at least one speaker; and a fifth means for manipulating the plurality of parameters" was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). They are unclear to the examiner what is " a fifth means" referring to.

Art Unit: 2615

13. Claims 37-38 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claims 34 and 35 recite “ a fifth means for generating a test sound signal; and a fifth means for receiving and implementing changes to one or more of the second thru fourth means” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). They are unclear to the examiner what is “ a fifth means” referring to.

14. Claim 36 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 36 recites “a sixth means for converting wireless communication signal for use by the processor” was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is is unclear to the examiner what is “ a sixth means” referring to.

15. Claim 46 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not



described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claim 46 recites " a first component configured to receive a first sound signal from an external source and a second sound signal from a microphone; a second component configured to process the first sound signal based on a plurality of parameters; and a third component configured to generate a video signal based on the second sound signal" was not supported in the further detail in the specification nor in any other claims (see the specification page 3 line 4- page 4 line 18). There is unclear to the examiner what is " first component, a second component, third component" referring to.

### ***Claim Rejections - 35 USC § 102***

16. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

17. Claims 1-6, 9-11, 15-22, 30-35, 37-46, 49, 51-57 and 59-61, 65 are rejected under 35 U.S.C. 102(b) as being anticipated by Emoto (US PAT. 5,572,443).

Consider claim 1 Emoto teaches a speaker apparatus comprising: at least one speaker (see fig.5A (76,78)); a processor (14,12) coupled to the at least one speaker (76,78), the processor comprising: a first component (72) configured to receive a sound signal from an external source; and a second component (see fig.3) configured to

generate a video signal based on the sound signal; and a video output port coupled to the second component (see fig.2 and col. 13 line 41-col. 14 line 62).

Consider claims 2-6 Emoto teaches the external source (see fig.5A(72)) is a receiver and the sound signal comprises a portion (reads on input terminal (18)) received by a microphone (see fig.1A and see col. 12 line 40-67); and a third component configured to process a portion of the sound signal based on a plurality of parameters (see fig.3); and a fourth component (see fig. 5A) configured to output the processed signal to the at least one speaker (76,78 and see col. 13 line 41-col. 14 line 62); and the external source is a microphone (see fig.1 (72)); and a third component (see fig. 1A (80)) configured to receive a second sound signal from a second external source; a fourth component (see fig.3) configured to process the second sound signal based on a plurality of parameters; and a fifth component configured to output the processed second sound signal to the at least one speaker (see fig.1A (76,78 and see col. 12 line 42-col. 13 line 64); and a control device configured to allow user manipulation of the parameters (see fig.3 and col. 13 line 41-col. 14 line 22).

Claims 32 and 52, they are essentially similar to claim 2 and are rejected for the reason stated above apropos to claim 2.

Claims 31 and 54, they are essentially similar to claim 4 and are rejected for the reason stated above apropos to claim 4.

Claim 56 it is essentially similar to claim 6 and are rejected for the reason stated above apropos to claim 6.

Consider claim 9-11 and 15 Emoto teaches that the processor further comprises: a sixth component configured to generate a test sound signal (see fig.11) and apparatus of further comprising a port (see fig.2 (26, output terminal)) configured to output the test sound signal (see col. 15 line 50-col. 16 line 50) and the processor further comprises: a sixth component configured to receive changes to one or more of the first thru fifth components(see fig.2 and see col. 15 line 50-col. 16 line 50); and at least one amplifier (see fig.5A (74) coupled to the at least one speaker (76,78 and see col. 14 lines 34-62).

Claims 17-18, they are essentially similar to claims 9-10 and are rejected for the reason stated above apropos to claims 9-10.

Claims 59-60, they are essentially similar to claims 9-10 and are rejected for the reason stated above apropos to claims 9-10.

Claim 65 it is essentially similar to claim 15 and is rejected for the reason stated above apropos to claim 15.

Consider claim 16 Emoto teaches that a sound system including a receiver (see fig.5A (12)), the sound system comprising: a display (see fig.2 (40)); a microphone (see fig.5A (72)); a control device (14); and

a speaker apparatus (76,78) coupled to the display (40), the microphone (74), the control device (14), and the receiver (12), the speaker apparatus comprising: at least one speaker (76,78); mad a processor coupled to the at least one speaker (76,78), the processor (cpu) comprising:

a first component (72) configured to receive a first sound signal from the receiver and a second sound signal received by the microphone (72);

a second component (12) configured to process the first sound signal based on a plurality of parameters and output the processed sound signal to the at least one speaker; and

a third component (12) configured to generate a video signal based on the second sound signal;

a fourth component (12) configured to send the generated video signal to the display, wherein the display presents the received video signal (see fig.3 and col. 13 line 42-col. 14 line 32).

Consider claims 19-20 Emoto teaches that the generated a video signal includes a graphical user interface, the graphical user interface includes a frequency response graph of the sound signal received by the microphone (see fig. 3 and see col. 13 line 41-col. 14 line 32); and the graphical user interface further includes an eight band equalizer (see fig.3 (+10 to -10) and see col. 13 line 41-col. 14 line 32).

Claim 43 it is essentially similar to claim 20 and is rejected for the reason stated above apropos to claim 20.

Consider claims 21-22 Emoto teaches that the graphical user interface further includes a parameters section configured to allow a user to set at least a portion of the plurality of parameters using the control device (see fig.3 and see col. 13 line 41-col. 14 line 32); and the portion of the plurality of parameters includes one or more of low pass crossover frequency, low pass crossover slope, subsonic frequency, subsonic slope, phase, polarity, volume, contour frequency, contour level, or a theatrical/musical performance parameter(see figs.1A-3 and see col. 13 line 41-col. 14 line 32).

Claims 44-45, they are essentially similar to claims 21-22 and are rejected for the reason stated above apropos to claims 21-22.

Consider claim 30 Emoto teaches a speaker apparatus comprising: a first means (see fig.5A (72)) for receiving a sound signal from an external source; and a second means (see fig.3) for generating a video signal based on the received sound signal (see col. 13 line 42-col. 14 line 67).

Consider claims 33-35 Emoto teaches that a third means (see fig.5A, 72) for receiving a sound signal from an external source; a fourth means (see fig. 3) for processing the sound signal from the external source based on a plurality of parameters (see figs.1A-3 and see col. 13 line 41-col. 14 line 32); and a fifth means for outputting the processed sound signal to at least one speaker (see figs.1A-3 and see col. 13 line 41-col. 14 line 32); and a fifth means for manipulating the plurality of parameters(see fig. 3 and see col. 13 line 41-col. 14 line 32).

Consider claim 37-38 Emoto teaches a fifth means for generating a test sound signal (see fig.11 and see col. 15 line 50-col. 16 line 50); and a fifth means for receiving and implementing changes to one or more of the second thru fourth means (see fig.11 and see col. 15 line 50-col. 16 line 50).

Consider claim 39 Emoto teaches that a first sound signal at a speaker unit from a source external to the speaker unit (see fig. 1A-5A); processing the first sound signal based on a plurality of parameters; outputting the processed first sound signal to at least one speaker of the speaker unit; receiving a second sound signal generated by a microphone at the speaker unit; generating a video signal at the speaker unit based on

the second sound signal (see fig.3); and sending the generated video signal to a display coupled to the speaker unit (see figs 1A-5A and see col. 13 line 42-col. 14 line 67).

Consider claims 40-42 Emoto teaches generating a test sound signal at the speaker unit; and sending the generated test sound signal to a sound system coupled to the speaker unit (see figs 1A-5A and 11 and see col13 line 42-col. 14 line 67); and generating an output test sound signal at the sound system based on the received test sound signal; and sending the generated output test sound signal to one or more speakers coupled to the sound system and to the at least one speaker of the speaker unit (see figs.2 and 11 and see col. 15 line 50-col. 16 line 50); and presenting the generated video signal on the display, wherein the presented video signal includes a graphical user interface, the graphical user interface includes a frequency response graph of the sound signal received by the microphone(see figs 1A-5A and 11 and see col. 13 line 42-col. 14 line 67).

Consider claim 46 Emoto teaches that first and second speakers (see figs 1A-2 (76,78)); and a processor (CPU) coupled to the first and second speakers (76,78), the processor comprising: a first component configured to receive a first sound signal from an external source (80) and a second sound signal from a microphone (72);

a second component (12) configured to process the first sound signal based on a plurality of parameters; and a third component (14) configured to generate a video signal based on the second sound signal (see fig.3 and see col. 13 line 42-col. 14 line 67).

Consider claim 49 Emoto teaches a method performed in a speaker apparatus, the method comprising: receiving a first sound signal from an external source 0 Hz and 130 Hz and a second sound signal from a microphone (see fig.3), the first sound signal being between; processing the first sound signal into a first and second range of frequencies based on a plurality of parameters; sending the first range of frequencies of the sound signal to a first speaker (see fig.5A, 76); sending the second range of frequencies of the first sound signal to a second speaker (78); and generating a video signal based on the second sound signal (see fig.3 and see col. 13 line 42-col. 14 line 67).

Consider claim 51 Emoto teaches a speaker apparatus comprising: at least one speaker (see figs. 1A-2, (76,78));

a processor (CPU) inherently (because the CPU includes the memory and program) having a memory configured to store program instructions to receive a sound signal from an external source, generate a video signal based on the sound signal, and output the generated video signal (see fig.2 (40) and see col. 13 line 41-col. 14 line 67).

Consider claims 53 and 55, 61 Emoto teaches that the program instructions (reads on the CPU) further process a portion of the sound signal based on a plurality of parameters, and output the processed signal to the at least one speaker (see figs 1A-3 and see col. 13 line 42-col. 14 line 67); and the program instructions (reads on the CPU) further receive a second sound signal from a second external source (see fig.1A, (80)), process the second sound signal based on a plurality of parameters, and output the

Art Unit: 2615

processed second sound signal to the at least one speaker (76,78 and see col. 13 line 42-col. 14 line 67); and the program instructions(reads on the CPU) further receive program instruction changes and execute the received changes (see fig.2 and see col. 12 line 40-col. 13 line 41).

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

19. Claims 7-8,12-14, 23, 27-29, 36, 58 and 62-64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emoto (US PAT. 5,572,443) in view of Ouchi (US PAT. 6,072,879).

Consider claim 7 Emoto does not explicitly teach a wireless communication component coupled to the processor, wherein the control device is a wireless remote control.

However, Ouchi teaches a wireless communication component coupled to the processor, wherein the control device is a wireless remote control (see fig. 17 and col. 13 line 50-col. 14 line 24).



Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Ouchi into Emoto so that the acoustic characteristic correction device could have been more convenient for the user.

Claims 27 and 57, they are essentially similar to claim 7 and are rejected for the reason stated above apropos to claim 7.

Claim 36 it is essentially similar to claim 7 and is rejected for the reason stated above apropos to claim 7.

Consider claim 8 Ouchi teaches that the wireless communication component is an optical sensor(see fig. 17 and col. 13 line 50-col. 14 line 24).

Claims 28 and 58, they are essentially similar to claim 8 and are rejected for the reason stated above apropos to claim 8.

Consider claim 29 Ouchi teaches that the wireless remote control (see fig.1 (150)) includes one or more preset buttons (A-D) configured to send a preset command signal to the processor, wherein the processor processes sound signals according to parameters set in accordance with the received preset command signal (see col.9 line 15-col. 10 line 67).

Consider claim 12 Emoto does not clearly teach that a housing configured to include the at least one speaker and the processor.

However, Ouchi teaches that a housing configured to include the at least one speaker and the processor (see fig. 17 and col. 13 line 50-col. 14 line 24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Ouchi into Emoto so that the

acoustic characteristic correction device could have been more convenient for the user to carry and save space.

Claims 23 and 62, they are essentially similar to claim 12 and are rejected for the reason stated above apropos to claim 12.

Consider claims 13-14 Emoto teaches that volume controls mounted to the housing and configured to control output of the at least one speaker (see fig. 17 and col. 13 line 50-col. 14 line 24); and an indicator light (reads on infrared) coupled to the processor (see fig. 17 and col. 13 line 50-col. 14 line 24).

Claims 63-64, they are essentially similar to claims 13-14 and are rejected for the reason stated above apropos to claims 13-14.

20. Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emoto (US PAT. 5,572,443) in view of Bull (US PAT. 6,546,298).

Consider claim 23 Emoto does not explicitly teach that the speaker apparatus further comprises a housing configured to include the at least one speaker and the processor.

However Bull teaches that the speaker apparatus further comprises a housing configured to include the at least one speaker and the processor (see fig.1 and see col. 3 line 53-col. 4 line 29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Bull into Emoto so that the acoustic characteristic correction device could have been more convenient for the user to carry and save space.

Consider claims 24-26 Bull teaches that the speaker apparatus further comprises a port mounted on the housing, the port configured to receive the generated video signal from the processor inherently (because the computer includes the video card and see fig.1 and see col. 3 line 53-col. 4 line 29); and the speaker apparatus further comprises a port configured to receive sound signals from the processor inherently (because the computer includes the sound card and see fig.1 and see col. 3 line 53-col. 4 line 29); and the speaker apparatus further comprises volume controls mounted to the housing and configured to control output of at least one speaker (see fig.1 and see col. 3 line 53-col. 4 line 29).

21. Claims 47-48 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emoto (US PAT. 5,572,443).

Consider claim 47 Emoto does not explicitly teach that the first speaker is an 18 inch subwoofer and the second speaker is a 12 inch subwoofer.

However, Emoto does not limit his speakers to any specific kind. These 18 inch subwoofer and 12 inch subwoofer speakers (office notice is taken) is well known in the art.

Therefore, it would have been obvious that the speaker system taught by Emoto could have the first speaker is an 18 inch subwoofer and the second speaker is a 12 inch subwoofer as claimed for enhancing the output sound.

Claim 50 it is essentially similar to claim 47 and is rejected for the reason stated above apropos to claim 47.

Consider claim 48 Emoto teaches that the received first sound signal is between 0 Hz and 130 Hz (see fig.3) and the second component automatically selects a first and second range of frequencies of the first sound signal and sends the first range of frequencies of the sound signal to the first speaker (76) and sends the second range of frequencies of the first sound signal to the second speaker (78 in fig 5A and col. 13 line 42-col. 14 line 67); but Emoto does not explicitly teach that the first speaker is an 18 inch subwoofer and the second speaker is a 12 inch subwoofer.

However, Emoto does not limit his speakers to any specific kind. These 18 inch subwoofer and 12 inch subwoofer speakers (office notice is taken) is well known in the art.

Therefore, it would have been obvious that the speaker system taught by Emoto could have the first speaker is an 18 inch subwoofer and the second speaker is a 12 inch subwoofer as claimed for enhancing the output sound.

### ***Election/Restrictions***

22. Claims 66-72 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected claims 66-72, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 05-16-2007.

The requirement is still deemed proper and is therefore made FINAL.

**Conclusion**

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kitazato (US PAT. 4,661,982) is recited to show how other related ADJUSTABLE SPEAKER SYSTEMS AND METHOD.

24. Any response to this action should be mailed to:

Mail Stop \_\_\_\_ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:  
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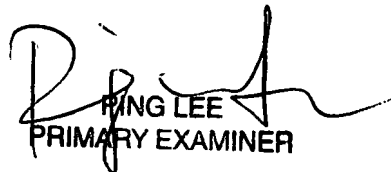
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Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

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